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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA, SOUTHERN DIVISION**

NICHOLAS GORMAN, an individual and citizen of Nevada.

Case No. 2:20-cv-01938-RFB-DJA

Plaintiff,

V.

14 RHEEM MANUFACTURING COMPANY, a
15 Delaware corporation; RHEEM SALES
16 COMPANY, INC., a Delaware corporation;
17 MIDWEST CAN COMPANY, LLC, a
18 Delaware limited liability company; SMITH'S
19 FOOD & DRUG CENTERS, INC., an Ohio
20 corporation; VEGAS INVESTMENT
PROPERTIES REALTY GROUP, LL, a
Nevada limited liability company; GLENN
PLANTONE, an individual and citizen of
Nevada; NEVADA SANDCASTLES, LLC, a
Nevada limited liability company; DOES 1
through 60, inclusive; and ROE COMPANIES
1 through 60, inclusive,

**STIPULATION TO EXTEND
OPPOSITION DEADLINE FOR MOTION
TO DISMISS AND [PROPOSED ORDER]**

Defendants.

Plaintiff Nicholas Gorman and Defendants Nevada Sandcastles LLC, Vegas Investment Properties Realty Group LLC, and Glenn Plantone (“Landlord Defendants”), by and through their undersigned counsel, hereby stipulate as follows:

26 1. Plaintiff filed his Complaint in the Eighth Judicial District Court on September 24, 2020;
27 2. On October 20, 2020, Defendant Rheem Manufacturing Company removed this action to
28 this court on the grounds the Landlord Defendants were not proper defendants;

1 3. On October 30, 2020, the Landlord Defendants moved to dismiss the causes of action in
 2 Plaintiff's complaint against the Landlord Defendants;
 3 4. Plaintiff's opposition to the Landlord Defendants' motion to dismiss is due November 13,
 4 2020;
 5 5. Plaintiff and the Landlord Defendants have entered into a preliminary settlement for claims
 6 arising from the incident underlying Plaintiff's complaint;
 7 6. As a result of the preliminary settlement, there does not appear to be any need for the Court
 8 to hear the Landlord Defendants' motion to dismiss;
 9 7. The Landlord Defendants anticipate moving for a good faith settlement determination once
 10 the settlement is completed; and
 11 8. In light of the preliminary settlement, Plaintiff and the Landlord Defendants have agreed to
 12 extend the deadline for Plaintiff's opposition to the Landlord Defendants' motion to
 13 dismiss from November 13, 2020 to November 30, 2020 to provide time for completion of
 14 the preliminary settlement.

15 Based on the foregoing, with good cause appearing, Plaintiff and the Landlord Defendants
 16 stipulate as follows:

17 1. The deadline for Plaintiff's opposition to the Landlord Defendants' motion to dismiss is
 18 continued from November 13, 2020 to November 30, 2020.

19 **IT IS SO STIPULATED.**

20 **DATED** this _____ day of November, 2020. **DATED** this _____ day of November, 2020.

21 **PANISH SHEA & BOYLE, LLP**

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22 *Attorneys for Defendants Nevada Sandcastles
 23 LLC, Vegas Investment Properties Realty Group
 24 LLC, and Glenn Plantone
 25 Gorman v. Rheem Manufacturing Company, et al.*

1 Case No. 2:20-cv-01938-RFB-DJA
2

3 **ORDER**
4

5 The Court, having considered the stipulation between Plaintiff and the Landlord Defendants,
6 and with good cause appearing, hereby orders as follows:
7

8 1. The deadline for Plaintiff's opposition to the Landlord Defendants' motion to dismiss is
9 continued from November 13, 2020 to November 30, 2020.
10

11 **IT IS SO ORDERED.**
12

13 
14

15 RICHARD F. BOULWARE, II
16 United States District Judge
17

18 DATED this 17th day of November, 2020.
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